

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DANIEL JAY PEREZ,

Plaintiff,

V.

CALVIN COGBURN,

Defendant.

CASE NO. C18-1800-JLR-BAT

**ORDER ON MOTION FOR  
CLARIFICATION AND  
DIRECTING FILING OF WAIVER**

Plaintiff has filed a “praecipe to issue summons” for several defendants and a “motion for clarification of ECF order directing service.” Dkt. 31, 32. Plaintiff’s “motion” requests clarification as to whether defendants who have already appeared and waived service need to be re-served. By order dated March 6, 2019, the Court directed the Clerk to send plaintiff’s amended complaint along with requests for waivers of summons to all named defendants. Dkt. 24. Counsel for the State defendants appears to have filed a notice of appearance and waivers of service of summons in response to the amended complaint with respect to all named defendants.

Counsel for the only other (non-state) defendant, Norah Bloomingdale, has filed a notice of appearance and a waiver of service of summons with respect to plaintiff's original complaint but has not explicitly waived service with respect to plaintiff's amended complaint. Dkts. 11, 12. Accordingly, **on or before April 17, 2019**, counsel for defendant Bloomingdale is directed to

1 file a waiver of service or summons, or otherwise indicate to the Court that service is waived,  
2 with respect to the amended complaint.

3 In response to plaintiff's request for clarification **plaintiff is informed that he is not**  
4 **required to serve or re-serve any defendants.**

5 The Clerk is directed to terminate plaintiff's motion (Dkt. 32) and to strike plaintiff's  
6 praecipe to issue summons (Dkt. 31) as unnecessary. The Clerk is further directed to provide a  
7 copy of this order to plaintiff and to counsel for defendants.

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9 DATED this 11<sup>th</sup> day of April, 2019.

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BRIAN A. TSUCHIDA  
12 United States Magistrate Judge

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